

IPW

AF-2877  
C/S

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of Moshe FINAROV et al

Appl. No. 09/012,849

Date Filed: August 31, 2001

For: METHOD AND APPARATUS FOR MONITORING A CHEMICAL...

Art Unit: 2877

Examiner: PHAM, H.

Washington, D.C.

Atty.'s Docket: FINAROV=1A

Date: May 3, 2004

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Confirmation No. 8535

Sir:

Transmitted herewith is a [X] **RESPONSE and TERMINAL DISCLAIMER** in the above-identified application.

[x] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[ ] Applicant claims small entity status. See 37 C.F.R. §1.27.

[ ] No fee is required.

[XX] The fee has been calculated as shown below:

[xx] Statutory Disclaimer fee \$55.00

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	
INDEP.	*	MINUS	*** 3	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY

RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	

OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 280	\$
TOTAL	

OR

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [ ] First - \$ 55.00
- [ ] Second - \$ 210.00
- [ ] Third - \$ 465.00
- [ ] Fourth - \$ 725.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [ ] First - \$ 110.00
- [ ] Second - \$ 410.00
- [ ] Third - \$ 930.00
- [ ] Fourth - \$ 1450.00

Month After Time Period Set

[ ] Less fees (\$ ) already paid for month(s) extension of time on

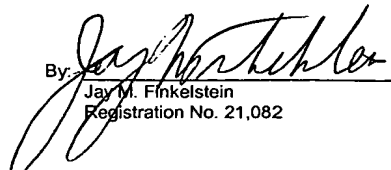
[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 55.00.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

Attorneys for Applicant(s)

Facsimile: (202) 737-3528  
Telephone: (202) 628-5197

By:   
Jay M. Finkelstein  
Registration No. 21,082



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: FINAROV=1A

In re Application of:	)	Art Unit: 2877
	)	
Moshe FINAROV et al	)	Examiner: PHAM, H.
	)	
Appln. No.: 09/942,849	)	Washington, D.C.
	)	
Filed: August 31, 2001	)	Confirmation No.8535
	)	
For: METHOD AND APPARATUS FOR	)	May 3, 2004
MONITORING A CHEMICAL...	)	

**RESPONSE**

Honorable Commissioner for Patents  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

This is in response to the Examiner's Action dated  
February 26, 2004.

In that action, all of the pending claims stand rejected  
only on the grounds of obviousness-type double patenting over  
claims of US patent 6,292,265.

In response to this rejection, submitted herewith is an  
appropriate Terminal Disclaimer.

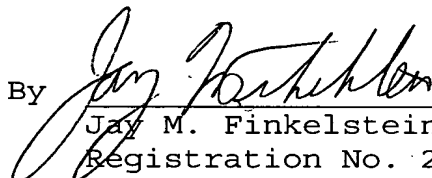
In view of the filing of this Terminal Disclaimer, it is  
requested that the one remaining rejection be withdrawn, that  
all of the pending claims be allowed and that the application  
be passed to issue.

Appln. No. 09/942,849  
Resp. dated May 3, 2004  
Reply to Office Action of February 26, 2004

If the above response should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant

By   
Jay M. Finkelstein  
Registration No. 21,082

JMF:mch  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528  
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